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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,471	06/25/2001	Ronald W. Bassett	AUS920000714US1	8675

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EXAMINER

PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/888,471

Applicant(s)

BASSETT ET AL.

Examiner

Boris Pesin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-12,21,24-29,31-36,45,48-53,55-60,69 and 72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5,7-12,25-29,31-36,49-53 and 55-60 is/are allowed.
- 6) ☒ Claim(s) 21,24,45,48,69 and 72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 10/30/2006.

Claims 1-5, 7-12, 21, 24-29, 31-36, 45, 48-53, 55-60, 69, and 72 are pending in this application. Claims 1, 21, 25, 45, 49, and 69 are independent claims. In the amendment filed 10/30/2006, Claims 1, 21, 25, 35, 45, 49, 59 and 69 were amended. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 21, 24, 45, 48, 69, and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raff (US 6785868) in view of Moon et al. (US 6064975).

In regards to claim 21, Raff teaches a method for implementing a personal information manager in an electronic calendar device for given user, comprising: displaying scheduled records for a designated time period of the given user in the electronic calendar (i.e. Figures 15, 16 and 17); providing scheduled event records for the given user and information on shadowed events of at least one tracked person that are part of the at least one tracked person's scheduled event records, wherein the at least one tracked person was selected by the given user, wherein the scheduled event records are capable of being scheduled at calendar times that overlap with scheduled shadowed events for the at least one tracked person (i.e. Figures 15 and 17); and displaying information on the provided scheduled event records and shadowed events for a time period in a view (i.e. Figure 17).

Raff does not teach a method for displaying location information providing a current location of at least one tracked person provided by an electronic device with the tracked person transmitting location information in a view. Moon teaches, "Home control button 77 is activated to indicate that location for which portable intelligent communications device 10 has been set as the home base of operation, Location control button 79 is activated to indicate the current location of portable intelligent communications device 10, and Context control button 81 is activated to indicate the location of a party with whom portable intelligent communications device 10 is having either a current conversation, if applicable, or the location of a party with whom portable

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intelligent communications device 10 most recently had a conversation (the term "conversation" including but not limited to voice, data, and white board communication)." (Column 5, Line 29). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raff with the teachings of Moon and include a method of tracking users with the motivation to provide the user with more precise information about the location of the user.

In regards to claim 24, Raff and Moon teach all the limitations of claim 21. Raff does not teach a method wherein displaying information on the shadowed events further comprises displaying contact information to enable the user to contact the tracked entity using communication capabilities of the electronic calendar device. Moon teaches, "Home control button 77 is activated to indicate that location for which portable intelligent communications device 10 has been set as the home base of operation, Location control button 79 is activated to indicate the current location of portable intelligent communications device 10, and Context control button 81 is activated to indicate the location of a party with whom portable intelligent communications device 10 is having either a current conversation, if applicable, or the location of a party with whom portable intelligent communications device 10 most recently had a conversation (the term "conversation" including but not limited to voice, data, and white board communication)." (Column 5, Line 29).

Claims 45 and 48 are in similar rationale to claims 21 and 24; therefore they are rejected under similar rationale.

Claims 69 and 72 are in similar rationale to claims 21 and 24; therefore they are rejected under similar rationale.

Allowable Subject Matter

Claims 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59 and 60 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: In regards to independent claims 1, 25, and 49, the prior art found does not teach providing from the database scheduled event records for the given user and information on shadowed events of at least one tracked entity, wherein the scheduled event records of the given user are capable of being scheduled at calendar times that overlap with scheduled shadowed events for the at least one tracked entity; displaying information on the provided scheduled event records and shadowed events for a time period in a view in response to displaying the given user's scheduled event records; receiving selection from the given user to add a selected shadowed event to the given user's scheduled event records; enabling the user to select from the view to add the tracked entity's scheduled event record comprising the selected shadowed event to the given user's scheduled event records in the database, wherein the scheduled event record from the tracked entity added to the given user's scheduled event records are displayed as part of the given user's scheduled event records; in combination with all of the other claim limitations.

Response to Arguments

Applicant's arguments filed 10/30/2006 with regards to claim 21, 24, 45, 48, 69, and 72 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, specifically that Raff and Moon do not teach displaying scheduled event records and location information the same view, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). It is the combination of Raff and Moon that teaches the displaying scheduled event records and location information a view. Furthermore, the claim language is silent with respect to showing the information simultaneously.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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